

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 09049-00004-US1 U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/554415
INTERNATIONAL APPLICATION NO. PCT/US04/013117	INTERNATIONAL FILING DATE 26 April 2004	PRIORITY DATE CLAIMED 24 April 2003
TITLE OF INVENTION SPRING-OVER-MUSCLE ACTUATOR		
APPLICANT(S) FOR DO/EO/US Thomas Sugar et al.		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input type="checkbox"/> The US has been elected (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2)) a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).		
Items 11 to 20 below concern document(s) or information included:		
11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input type="checkbox"/> A preliminary amendment. 14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input checked="" type="checkbox"/> A power of attorney and/or change of address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825. 18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).		

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (If filing, see 37 CFR 1.51) <div style="font-size: 24pt; font-weight: bold; text-align: center;">10/554415</div>	INTERNATIONAL APPLICATION NO. PCT/US04/013117	ATTORNEY'S DOCKET NUMBER 09049-00004-US1
20. <input checked="" type="checkbox"/> Other items or information: Return Receipt Postcard		
The following fees have been submitted		
21. <input checked="" type="checkbox"/> Basic national fee (37 CFR 1.492(a))..... \$300	CALCULATIONS \$ 300.00	PTO USE ONLY
22. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0 All other situations \$200	\$ 200.00	
23. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) \$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB..... \$400 All other situations..... \$500	\$ 100.00	
TOTAL OF 21, 22 and 23 =		\$ 600.00
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.		
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)
21 - 100 =	/50 =	x \$250.00
Surcharge of \$130 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).		\$
CLAIMS	NUMBER FILED	NUMBER EXTRA
Total claims	36 - 20 =	16
Independent claims	2 - 3 =	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)		+
TOTAL OF ABOVE CALCULATIONS =		\$ 1,400.00
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.		700.00
SUBTOTAL =		\$ 700.00
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).		\$
TOTAL NATIONAL FEE =		\$ 700.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property		\$ 40.00
TOTAL FEES ENCLOSED =		\$ 740.00
		Amount to be refunded: \$
		Amount to be charged \$

10/554415

JC09 Rec'd PCT/PTO 24 OCT 2009

PTO-1390 (Rev. 07-2005)

Approved for use through 03/31/2007. OMB 0651-0021
U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

- a. ☐ A check in the amount of \$ _____ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 22-0185 in the amount of \$ 740.00 to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 22-0185. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Myron Keith Wyche
SIGNATURE

Myron Keith Wyche
NAME

CUSTOMER NUMBER: 30678

47,341
REGISTRATION NUMBER

10/554415

JC09 Rec'd PCT/PTO 24 OCT 2009

PTO/SB/17 (12-04v2)

Approved for use through 7/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no person are required to respond to a collection of information unless it displays a valid OMB control number.

<p><i>Effective on 12/08/2004.</i> Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).</p> <h2 style="margin: 0;">FEE TRANSMITTAL</h2> <h3 style="margin: 0;">For FY 2005</h3>		<p>Complete if Known</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td>Application Number</td><td>Not Yet Assigned</td></tr> <tr><td>Filing Date</td><td>Concurrently Herewith</td></tr> <tr><td>First Named Inventor</td><td>Thomas Sugar</td></tr> <tr><td>Examiner Name</td><td>Not Yet Assigned</td></tr> <tr><td>Art Unit</td><td>N/A</td></tr> <tr><td>Attorney Docket No.</td><td>09049-00004-US1</td></tr> </table>		Application Number	Not Yet Assigned	Filing Date	Concurrently Herewith	First Named Inventor	Thomas Sugar	Examiner Name	Not Yet Assigned	Art Unit	N/A	Attorney Docket No.	09049-00004-US1
Application Number	Not Yet Assigned														
Filing Date	Concurrently Herewith														
First Named Inventor	Thomas Sugar														
Examiner Name	Not Yet Assigned														
Art Unit	N/A														
Attorney Docket No.	09049-00004-US1														
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27															
TOTAL AMOUNT OF PAYMENT (\$) 740.00															

METHOD OF PAYMENT (check all that apply)	
<input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> None <input type="checkbox"/> Other (please identify): _____	
<input checked="" type="checkbox"/> Deposit Account Deposit Account Number: <u>22-0185</u> Deposit Account Name: <u>Connolly Bove Lodge & Hutz LLP</u>	
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)	
<input checked="" type="checkbox"/> Charge fee(s) indicated below <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee	
<input checked="" type="checkbox"/> Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17 <input checked="" type="checkbox"/> Credit any overpayments	

FEE CALCULATION																			
1. BASIC FILING, SEARCH, AND EXAMINATION FEES																			
Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)												
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)													
Utility	300	150	500	250	200	100													
Design	200	100	100	50	130	65													
Plant	200	100	300	150	160	80													
Reissue	300	150	500	250	600	300													
Provisional	200	100	0	0	0	0													
2. EXCESS CLAIM FEES																			
							Small Entity Fee (\$)												
Fee Description							Fee (\$)												
Each claim over 20 (including Reissues)							50												
Each independent claim over 3 (including Reissues)							200												
Multiple dependent claims							360												
<table style="width: 100%;"> <tr> <td><u>Total Claims</u></td> <td><u>Extra Claims</u></td> <td><u>Fee (\$)</u></td> <td><u>Fee Paid (\$)</u></td> </tr> <tr> <td>36</td> <td>- 20 = 16</td> <td>x</td> <td></td> </tr> </table>							<u>Total Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>	36	- 20 = 16	x		<table style="width: 100%;"> <tr> <td><u>Multiple Dependent Claims</u></td> </tr> <tr> <td><u>Fee (\$)</u></td> </tr> <tr> <td><u>Fee Paid (\$)</u></td> </tr> </table>		<u>Multiple Dependent Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
<u>Total Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>																
36	- 20 = 16	x																	
<u>Multiple Dependent Claims</u>																			
<u>Fee (\$)</u>																			
<u>Fee Paid (\$)</u>																			
<table style="width: 100%;"> <tr> <td><u>Indep. Claims</u></td> <td><u>Extra Claims</u></td> <td><u>Fee (\$)</u></td> <td><u>Fee Paid (\$)</u></td> </tr> <tr> <td>2</td> <td>- 3 =</td> <td>x</td> <td></td> </tr> </table>							<u>Indep. Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>	2	- 3 =	x						
<u>Indep. Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>																
2	- 3 =	x																	
3. APPLICATION SIZE FEE																			
If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).																			
<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each additional 50 or fraction thereof</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>															
21	- 100 =	/50	(round up to a whole number) x																
4. OTHER FEE(S)																			
Non-English Specification, \$130 fee (no small entity discount)																			
Other (e.g., late filing surcharge):																			
2631 Basic National Stage fee							150.00												
2633 National Stage Examination Fee - all other ...							100.00												
2641 National Stage Search Fee - U.S. was the ISA							50.00												
2615 National Stage claims - extra total (over twenty)							400.00												
8021 Assignment Recordation Fee							40.00												

SUBMITTED BY			
Signature		Registration No. (Attorney/Agent)	47,341
Name (Print/Type)	Myron Keith Wyche	Telephone	(202) 331-7111
		Date	October 24, 2005

10/554415

JC09 Rec'd PCT/PTO 24 OCT 2005



July 15, 2005

Tom Sugar
Fulton School of Engineering
Thomas.Sugar@asu.edu

Michael Carhart
Mike.carhart@asu.edu

RE: Release of Rights
ASU Case - M3-064
"Spring Over Muscle"

Dear Tom & Michael,

On April 26, 2004, AzTE filed, on your behalf, a PCT Application for your technology entitled "Spring Over Muscle" with Serial No.: PCT/US04/13117. Since that date, we have been actively marketing your technology in search of potential partners or collaborators. Unfortunately, we have been unable to identify such a partner or collaborator. Therefore, given our limited budget, we are unable to continue protecting your technology. Pursuant to ASU policy, AzTE is offering to assign the rights to your technology back to you as an inventor, subject to ABOR policy 6-908 and the following conditions:

- (1) The Board retains a paid-up, non-exclusive license to use this intellectual property for internal education, research, and non-commercial public service;
- (2) Provision for a minimal royalty to university in the event a profit is made from commercialization of the intellectual property, not to exceed 2% of profit; and
- (3) The faculty creator may not use university facilities to improve upon the invention. If the inventor wishes to continue work on the invention using university managed funds and/or facilities, they will need to do so under an arm's length relationship (i.e., full Board disclosure and license).

If you are interested in pursuing these jurisdictions on your own, please contact us immediately.

p 480-963-5670
f 480-965-0421

www.azte.com

Arizona Technology Enterprises, LLC
The Brickyard - 699 S. Mill Avenue, Suite 601, Room 691AA, Tempe, AZ 85281



FAILURE TO COMMUNICATE YOUR DECISION TO CONTINUE PATENT PROTECTION MAY RESULT IN LOST OF PROTECTION. DO NOT DELAY IF YOU WISH TO MAINTAIN PATENT PROTECTION.

Transfer of the intellectual property and its prosecution and maintenance can be costly and you will be responsible for all fees and expenses incurred.

If you agree to accept the rights to your technology with the conditions described above, please sign this letter below and fax a copy of this letter to me at 480-965-0421.

If you have any questions, please feel free to contact me at 480-965-4070.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Jason Sydow', is written over a horizontal line.

Jason Sydow
Vice President of Technology Ventures

cc: Paul Johnson, Associate Vice President for Research
Robert Peck, Chair of Mechanical and Aerospace Engineering
Peter Crouch, Dean of Fulton School of Engineering

I acknowledge and agree to accept the assignment of the intellectual property rights to technology disclosed in "Spring Over Muscle" subject to ABOR policy, including those conditions listed above.

A handwritten signature in cursive script, appearing to read 'Thomas Sugar', is written over a horizontal line.
Thomas SugarA handwritten signature in cursive script, appearing to read 'Michael Carhart', is written over a horizontal line.
Michael Carhart

p 480-965-5670
f 480-965-0421

www.ate.com

Arizona Technology Enterprises, LLC
The Brickyard - 699 S. Mill Avenue, Suite 601, Room 691AA, Tempe, AZ 85281